

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patrick Muffo (Reg. No. 60,342) on July 2, 2008.

The application has been amended as follows:

Claim 5 has been rewritten as follows:

--5. (Amended) An ejector pump comprising:

a flow path unit having formed therein a fluid discharge path leading to a fluid outlet;

a nozzle body including a main fluid inlet port to which a fluid is inputted, a nozzle which has a nozzle outlet from which a jet of the main fluid is emitted to the discharge path of said flow path unit and then discharged from the outlet, and a main fluid flow path which has a length and communicates between the main fluid inlet port and the nozzle outlet of the nozzle, physical energy of the jet of the main fluid emitted from the nozzle serving to suck and direct a sub-fluid to the discharge path of said flow path unit;  
and

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a heater being disposed in said nozzle body and working to add thermal energy to the main fluid; and  
a heat transfer blocking interface formed between the nozzle body and the flow path unit.--

In claim 8 line 2 "said heater is installed in said nozzle body, and wherein" has been deleted.

In claim 8 line 2 "pipe unit" has been deleted and --flow path unit-- has been inserted therefore.

In claim 9 line 4 "pipe unit" has been deleted and --flow path unit-- has been inserted therefore.

Claim 10 has been rewritten as follows:

--10. (Amended) A fuel cell system comprising:

a fuel cell working to produce an electrical energy arising from chemical reaction of hydrogen with oxygen;

a hydrogen supply line through which a hydrogen gas is supplied from a hydrogen supply device to said fuel cell;

an off-gas circulation line working to circulate an off-gas, which is emitted from said fuel cell and contains an unreacted portion of the hydrogen gas not subjected to the chemical reaction, to said fuel cell through said hydrogen supply line; and

an ejector pump installed in a junction of said hydrogen supply line and said off-gas circulation line, said ejector pump including (a) a flow path unit having formed therein a fluid discharge path leading to a fluid outlet, (b) a nozzle body including a main fluid inlet port to which the hydrogen gas supplied from the hydrogen supply device is inputted, a nozzle which has a nozzle outlet from which a jet of the hydrogen gas is emitted to the discharge path of said flow path unit and then discharged from the fluid outlet to said fuel cell through said hydrogen supply line, and a main fluid flow path which has a length and communicates between the main fluid inlet port and the nozzle outlet of the nozzle, physical energy of the jet of the hydrogen gas emitted from the nozzle serving to suck and mix the off-gas with the hydrogen gas emerging from the nozzle, said nozzle body having a first sealing surface exposed to a portion of the main fluid flow path, (c) a needle disposed coaxially within the main fluid flow path, said needle being slidable in a lengthwise direction of the main fluid flow path to change an open area of the nozzle outlet, said needle having a second sealing surface, when said needle is moved within the main flow path and brings the second sealing surface thereof into abutment to the first sealing surface of said nozzle body, the main fluid flow path being closed, and (d) a heater being disposed in said nozzle body and working to add thermal energy to the hydrogen gas; and

a heat transfer blocking interface formed between the nozzle body and the flow path unit.--

Claim 11 has been rewritten as follows:

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--11. (Amended) A fuel cell system comprising:

a fuel cell working to produce an electrical energy arising from chemical reaction of hydrogen with oxygen;

a hydrogen supply line through which a hydrogen gas is supplied from a hydrogen supply device to said fuel cell;

an off-gas circulation line working to circulate an off-gas, which is emitted from said fuel cell and contains an unreacted portion of the hydrogen gas not subjected to the chemical reaction, to said fuel cell through said hydrogen supply line; and

an ejector pump installed in a junction of said hydrogen supply line and said off-gas circulation line, said ejector pump including (a) a flow path unit having formed therein a fluid discharge path leading to a fluid outlet, (b) a nozzle body including a main fluid inlet port to which the hydrogen gas is inputted, a nozzle which has a nozzle outlet from which a jet of the hydrogen gas is emitted to the discharge path of said flow path unit and then discharged from the fluid outlet to said fuel cell through said hydrogen supply line, and a main fluid flow path which communicates between the main fluid inlet port and the nozzle outlet of the nozzle, physical energy of the jet of the hydrogen gas emitted from the nozzle serving to suck and mix the off-gas with the hydrogen gas emerging from the nozzle, and (c) a heater being disposed in said nozzle body and working to add thermal energy to the hydrogen gas; and

a heat transfer blocking interface formed between the nozzle body and the flow path unit.--

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles G. Freay whose telephone number is 571-272-4827. The examiner can normally be reached on Monday through Friday 8:30 A.M. to 5:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Devon Kramer can be reached on 571-272-7118. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Charles G Freay/  
Primary Examiner  
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July 3, 2008